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10/718,297	11/20/2003	Timothy Gerrit Deboer	CA920020055US1	9784

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EXAMINER	
SIKRI, ANISH	
ART UNIT	PAPER NUMBER
2143	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/718,297	DEBOER ET AL.	
	Examiner	Art Unit	
	ANISH SIKRI	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

No new prior art is used for this office-action

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 28-31 claimed invention is directed to non-statutory subject matter. Claims 28-31 are rejected as software per se. Support for readable media is not found in [0013] of PG Pub of the application. It refers to software code.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in Graham **v.** John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 8-20, 23, 24, 27-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gish (US Pat 5,987,245).

Consider Claim 1, Gish et al discloses a method of executing code in a client server environment comprising (Gish, Col 18 Lines 9-10):

processing the input object identify the code for executing on a server, generating, in response to identifying the code for executing on a server,
code for accessing the code for executing on a server (Gish, Fig 4-5, Col 17 Lines 34-52, Col 18 Lines 1-30);

processing the generated to determine a server for executing the code for executing on a server, each code for executing on a server being able
to execute on a particular server and enabling the determined server to access the code for executing on a
server (Gish, Col 18 Lines 52-67, Col 19 Lines 1-10).

Gish does not disclose identifying an input object on a client system, the input object identifying code for executing on a server.

But, it is common for a person skilled in the art to see that in Fig 4-5 of Gish, the client communicates with the server, and helps in executing the application which is stored on the server. Fig 4-5 do show that the application resides in server, and it's presented to the client in Fig 4-5. Commands entered from the client to the server enable the application to be run, thus executing the application.

Therefore, it would have been obvious to person skilled in the art at the of the invention was made to incorporate the use inputting object on the client system taught

by Gish, which is being transferred to the server to execute the application and being presented to the client.

Consider Claim 2, The method of claim 1 wherein the step of processing the input object to identify the code for executing on a server includes the step of using a view list of at least one input element for processing a type of code identified by the input object (Gish, Col 19 Lines 13-19), the step of processing the generated code includes the step of using a server list of at least one server element for determining the server (Gish, Col 27 Lines 51-55, Col 28 Lines 20-31), and the step of identifying the client application includes the step of using a launcher list (Gish, Col 18 Lines 14-16) of at least one client element for launching the client application. Fig 4-5 of Gish also shows on how the applications have been launched via the user interface.

Consider **Claim 3**, Gish clearly discloses the method of claim 2 wherein at least one of the view list (Gish, Col 28, Lines 20-24), server list (Gish, Col 18, Lines 14-16) and launcher list is extensible to accommodate additional respective elements (Gish, Col 28, Lines 21-26). It clearly shows on how the client can use the view list to see the elements, which can be launched from the servers, which contain the application code/programs.

Consider **Claim 4**, Gish clearly discloses the method of claim 2 comprising maintaining at least one of the view list (Gish, Col 28, Lines 20-24), server list (Gish, Col 18, Lines 14-16) and launcher list (Gish, Col 28, Lines 21-26). It clearly shows on how the client can use the maintained view list to see the elements, which can be launched from the servers, which contain the application code/programs.

Consider **Claim 5**, Gish clearly discloses the method of claim 4 wherein the step of maintaining comprises extending any of the view list (Gish, Col 28, Lines 20-24), server list (Gish, Col 18, Lines 14-16) and launcher list (Gish, Col 28, Lines 21-26). It clearly shows on how the client can use the maintained view list to see the elements, which can be launched from the servers, which contain the application code/programs.

Consider **Claim 8**, Gish discloses the method of claim 1 wherein the step of processing the generated code comprises: analyzing a server element for enabling a the deployable object (Gish Col 28 Lines 20-27); and processing the deployable object using the determined server element (Gish Col 28 Lines 20-27). It is clearly shown on how deployable objects/applications are processed and launched within the client-server model.

Consider **Claim 9**, Gish discloses the method of claim 8 including processing user input to determine the server element (Gish, Col 28 Lines 46-54). It clearly shows on how messages are sent to the server for processing from the input received the user/client.

Consider **Claim 10**, Gish discloses the step of identifying the client application comprises: analyzing a object to determine a client element for processing the launchable object (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31); and processing the launchable object using the determined client element (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31). It clearly shows on how clients can have applications launched via the user interface.

Consider **Claim 11**, Gish discloses method of claim 10 including processing user input to determine the server element (Gish, Col 28 Lines 46-54). It clearly shows on how messages are sent to the server for processing from the user/client.

Claim 12, has similar limitations as of claim 1. Therefore it is rejected under the same rational as of Claim 1.

Claim 13, has similar limitations as of claim 2. Therefore it is rejected under the same rational as of Claim 2.

Claim 14, has similar limitations as of claim 3. Therefore it is rejected under the same rational as of Claim 3.

Consider **Claim 15**, Gish clearly discloses the extensible mechanism of claim 12 wherein said server mechanism comprises a server list of at least one server element (Gish, Col 27, Lines 61-62), each server element enabling the deployable object to execute on a particular server and processing the deployable object for outputting a launchable object (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31). Gish's invention clearly shows an extensible mechanism in the client, who executes the selected application; a connection is created between the client and server where the application is located, which facilitate the instances of client/server applications.

Claim 16, has similar limitations as of claim 3. Therefore it is rejected under the same rational as of Claim 3.

Consider **Claim 17**, Gish clearly discloses the extensible mechanism of claim 12 wherein said launcher mechanism comprises a launcher list (Gish, Col 28, Lines 21-26) of at least one client element (Gish, col 27, lines 51-55, Col 28 Lines 20-31), each client element enabling the launchable object to execute on a particular client for launching the code on the particular server (Gish, col 27, lines 51-55, Col 28 Lines 20-31). It clearly shows on how clients can have applications launched via the user interface.

Claim 18, has similar limitations as of claim 3. Therefore it is rejected under the same rational as of Claim 3.

Consider **Clam 19**, Gish clearly discloses the extensible mechanism of claim 12 wherein said extensible mechanism is adapted to launch the client determined in response to the launchable object for executing the code on the particular server (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31). It clearly shows on how clients can have applications/objects launched from the use of user interface

Claim 20, has similar limitations as of claim 2. Therefore it is rejected under the same rational as of Claim 2.

Consider **Claim 23**, Gish clearly discloses the extensible mechanism of claim 12 wherein said server mechanism is adapted to analyze the deployable object to determine a server element for processing the deployable object (Gish, Col 27, lines 61-62); and process the deployable object using the determined server element (Gish, Col 27, lines 51-55, Col 28 Lines 20-31). Gish's invention clearly shows an extensible mechanism in which the deployable object is analyzed before it is launched from the request of the client.

Consider **Claim 24**, Gish clearly discloses the extensible mechanism of claim 23 wherein said server mechanism is further adapted for processing user input to determine the server element (Gish, Col 28 Lines 46-54). It clearly shows on how messages are sent to the server for processing from the user/client.

Consider **Claim 27**, Gish clearly shows the extensible mechanism of claim 12 wherein said extensible mechanism is adapted to be integrated into an integrated development environment (Gish, Col 25 Lines 12-25). It is clearly shown that the

extensible mechanism is part of an application, which aids in development of client-server applications.

Consider **Claim 28**, Gish clearly shows a computer program product embodied in a computer readable medium for instructing a computer system to perform a method in accordance with claim 1 (Gish, Col 7, Lines 15-20, 32-39). It clearly shows that the computer program is embodied in a computer readable medium.

Consider **Claim 29**, Gish clearly discloses a computer readable media storing data and instructions readable by a computer system (Gish, Col 7, Lines 15-20, 32-39), said computer system executing an integrated development environment (IDE) for generating code for executing in a client server environment (Gish, Col 25 Lines 12-25), said data and instructions defining an extensible mechanism for executing said code on a server that, when deployed on said computer system, adapts said IDE (Gish, Col 25 Lines 12-25) to process an input object identifying code for executing on a server (Gish, Col 19 Lines 13-19), said processing using a view list of at least one input object element (Gish, Col 27, Lines 66-67, Col 28 Lines 1-17, Lines 46-56), each input object element processing a type of code identified by the input object to output a deployable object (Gish, Col 28, Lines 46-63); process the deployable object using a server list of at least one server element to determine a server for executing the code (Gish, Col 27, Lines 61-62), each server element enabling the deployable object to execute on a particular server and outputting a launchable object (Gish, Col 27 Lines 51-55, Col 28 Lines 20-31); and process the launchable object using a launcher list (Gish, Col 18, Lines 14-16) of at least one client element to determine a client for launching the code

on the particular server (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31). Gish's invention clearly shows on a client selects the components/objects based on a definition list maintained by the server(s) it communicates with. Once the client executes the selected application, a connection is created between the client and server, which facilitate the instances of client/server applications.

Consider **Claim 30**, Gish clearly discloses the computer readable media of claim 29 wherein said IDE (Gish, Col 25 Lines 12-25) is further adapted by said data and instructions for modifying at least one of the view list (Gish, Col 28, Lines 20-24), server list (Gish, Col 18, Lines 14-16) and launcher list (Gish, Col 28, Lines 21-26). It clearly shows on how the client can use the view list to see the elements, which can be launched from the servers, which contain the application code/programs.

Consider **Claim 31**, Gish clearly discloses the computer readable media of claim 29 wherein said IDE (Gish, Col 25 Lines 12-25) is further adapted by said data and instructions to launch the client determined in response to the launchable object to execute the code on the particular server (Gish, Col 27, Lines 51-55 Col 28 Lines 20-31). It clearly shows on how clients can have applications launched via the user interface.

Consider **Claim 32**, Gish clearly discloses a method of maintaining an extensible mechanism for executing server side code in a client server environment comprising: maintaining at least one of: a view list (Gish, Col 28, Lines 20-24) of at least one input object element (Gish, Col 27, Lines 66-67, Col 28, Lines 1-17 Lines 46-56), each input

object element processing a type of code identified by the input object to output a deployable object (Gish, Col 27, Lines 46-63); a server list of at least one server element to determine a server for executing the code (Gish, Col 27, Lines 61-62), each server element enabling the deployable object to execute on a particular server and outputting a launchable object (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31); and a launcher list (Gish, Col 18, Lines 14-16) of at least one client element to determine a client for launching the code on the particular server (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31). Gish's invention clearly shows an extensible mechanism in which a client selects the components/objects based on a definition list maintained by the server(s) it communicates with. Once the client executes the selected application, a connection is created between the client and server, which facilitate the instances of client/server applications.

Consider **Claim 33**, Gish clearly discloses the method of claim 32 wherein the step of maintaining comprises at least one of: generating a respective element for (Gish, Col 7, 51-53); adding a respective element (Gish, Col 7, 51-53); configuring a respective element (Gish, Col 7, 51-53); and deleting a respective element from (Gish, Col 7, 51-53), at least one of the view list (Gish, Col 28, Lines 20-24), server list (Gish, Col 18, Lines 14-16) and launcher list (Gish, Col 28, Lines 21-26). It clearly shows that elements can be added, launched, created, deleted or configured via the user interface.

Consider **Claim 34**, Gish clearly discloses the method of claim 32 comprising executing server side code using at least one of the view list (Gish, Col 28, Lines 20-24), server list (Gish, Col 18, Lines 14-16) and launcher list (Gish, Col 28, Lines 21-26).

It clearly shows on how the client can use the lists to view the elements, which can be launched from the servers, which contain the application code/programs.

Claims **6, 7, 21, 22, 25, 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Gish (US Pat 5,987,245), in view of Nakajima (US Pat 6,363,433).

Consider **Claim 6,** Gish fails to disclose the method of claim 1 wherein the step of processing the input object comprises: analyzing the input object to determine an input object element for processing the input object; and processing the input object using the determined input object element.

Nonetheless, Nakajima discloses the step of processing the input object comprises: analyzing the input object to determine an input object element for processing the input object (Nakajima, Col 3 Lines 55-60); and processing the input object using the determined input object element (Nakajima, Col 3 Lines 55-66). It shows on how an input object element (code) is processed (formatted), and how the user via the use of an input device processes the input object elements. Therefore, it would be obvious to a person of ordinary skill in the art at the time of the invention was made to use the processing input object element, taught by Nakajima in the method of

Gish, for the purpose of analyzing and processing input elements captured/received by an input object.

Consider **Claim 7**, Gish in view of Nakajima clearly discloses the method of claim 6 including processing user input to determine the input object element (Gish, Col 28, Lines 1-17 Lines 46-56). It is clearly shown on how a user inputs an object element into the system, which gets processed.

Consider **Claim 21**, Gish fails to disclose the extensible mechanism of claim 12 wherein said view mechanism is adapted to analyze the input object to determine an input object element for processing the input object and process the input object using the determined input object element.

Nonetheless, Nakajima discloses the extensible mechanism wherein said view mechanism is adapted to analyze the input object to determine an input object element (Nakajima, Col 3 Lines 55-60) for processing the input object and process the input object using the determined input object element (Nakajima, Col 3 Lines 55-66). It shows on how an input object element (code) is processed (formatted), and how the user via the use of an input device processes the input object elements. Therefore, it would be obvious to a person of ordinary skill in the art at the time of the invention was made to use the processing input object element, taught by Nakajima in the method of Gish, for the purpose of analyzing and processing input elements captured/received by an input object.

Consider **Claim 22**, Gish in view of Nakajima clearly discloses the extensible mechanism of claim 21 wherein said view mechanism is further adapted for processing user input to determine the input object element (Gish, Col 28, Lines 1-17, Lines 46-56). It is clearly shown on how a user inputs an object element into the system, which gets processed.

Consider **Claim 25**, Gish in view of Nakajima clearly discloses the extensible mechanism of claim 21 wherein said launcher mechanism is adapted to analyze the launchable object to determine a client element for processing the launchable object (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31); and process the launchable object using the determined client element (Gish, Col 27, Lines 51-55, Col 28 Lines 20-31). It clearly shows on how clients can have applications launched via the user interface.

Consider **Claim 26**, Gish in view of Nakajima clearly discloses the extensible mechanism of claim 25 wherein said launcher mechanism (Gish, Col 18, Lines 14-16) is further adapted for processing user input to determine the server element (Gish, Col 27, lines 51-55, Col 28 Lines 20-31). It clearly shows on how messages are sent to the server for processing from the input received from the user/client.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANISH SIKRI whose telephone number is 5712701783. The examiner can normally be reached on 8am - 5pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri
a.s.

May 12, 2008

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2154